

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

IN RE:

MEDCO/EXPRESS SCRIPTS  
MERGER LITIGATION

Civil Action No. 11-4211 (DMC) (MF)

AFFIDAVIT OF MICHAEL ROSENBAUM  
RE: MAILING OF NOTICE

STATE OF NEW YORK     )  
                                  ) ss.:  
COUNTY OF NASSAU     )

MICHAEL ROSENBAUM, being duly sworn, deposes and says:

1. I am Managing Director of Berdon Claims Administration LLC (“Berdon”), Notice Administrator in the above-captioned action and as such, I am fully familiar with the facts and circumstances of this matter.

2. I submit this affidavit to describe the procedures employed by Berdon to insure that all persons or entities who held or owned shares of the common stock of Medco Health Solutions, Inc., beneficially or of record at any time between July 21, 2011 and the effective time of the closing of the Merger with Express Scripts, Inc, or the withdrawal or termination of the Merger (the “Class”), were timely notified of the pendency of the instant class action, the proposed settlement thereof, the scheduled fairness hearing, and the right of Class Members to object and appear thereat.

3. On December 29, 2011, pursuant to the U.S. Class Action Fairness Act of 2005 (“CAFA”), 28 U.S.C. §1715, notice of the proposed Settlement was served upon the Attorney General of the United States and the Attorneys General of each state in which Class Members reside on behalf of all defendants in the consolidated actions *In re: Medco/Express Scripts Merger Litigation*, Civil Action No. 11-4211 (DMC) (the “New Jersey Action”) and *In re Medco Health Solutions, Inc. Shareholders Litigation*, Civil Action No. 6720-CS (the “Delaware Action”). The notice was in the form of a letter mailed to the Attorneys General by certified mail, return receipt requested, and was accompanied by CAFA-required documents, in this instance: (a) a distribution list of Attorneys

General; and (b) a table listing the states and territories and the number of proposed Class members residing therein; (c) various Pleadings, Orders and documents with respect to each of the above-referenced litigations; and (d) the Notice of Pendency of Class Action, Proposed Settlement and Fairness Hearing for mailing to Class Members (the “Notice”). Copies of the notice letter and the certified mail return receipts (“green cards”) are annexed hereto, collectively, as Exhibit A.

4. Pursuant to Paragraph 6 of the Amended Order Granting Preliminarily Approval of Settlement dated December 21, 2011 (the “Order”), the initial mailing of the Notice took place on January 3, 2012. Notices were mailed to: (a) 74,124 shareholders identified from the records of Medco’s transfer agent, Wells Fargo Bank, N.A.; (b) 120 brokers, banks and other nominees on the Depository Trust Company’s Participant Proxy Contact List and 510 specific research and/or compliance personnel of said brokers, banks and other nominees, identified from databases created and maintained by Berdon; and (c) 1,685 financial institutions identified by Vickers Directory of Institutional Investors as having held positions in Medco during the class period. In sum, on January 3, 2012, Berdon effected an initial mailing of 76,439 Notices. A copy of the Notice is annexed hereto as Exhibit B.

5. Concurrent with the initial mailing on January 3, 2012 and pursuant to our engagement agreement, on January 3, 2012, Berdon posted the Notice on its website at [www.berdonclaims.com](http://www.berdonclaims.com).

6. Subsequent to the initial mailing, and up to and including this date, Berdon has furnished an additional 68,375 copies of the Notice to individuals and to certain banks, brokers and other nominees for mailing to their beneficial owners. Berdon has further mailed an additional 253,812 Notices directly to beneficial owners, whose names and addresses were provided to Berdon by other brokers, banks and nominees, all in response to written, telephoned and emailed requests. As a result, since the initial mailing of January 3, 2012, Berdon has mailed 398,626 additional Notices to Class Members and potential Class Members.

7. In the aggregate, due to the initial mailing of 76,439 Notices on January 3, 2012, and the subsequent mailing of 321,964 Notices, as of this date, Berdon has provided a total of 398,403 Notices to Class Members and potential Class Members.

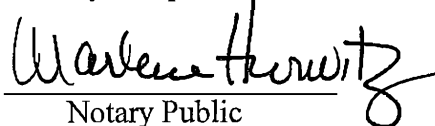
8. Moreover, Berdon has kept a record of Notices returned by the United States Postal Service ("USPS") as undeliverable, and where forwarding addresses were affixed thereto, Berdon has re-addressed and re-mailed each Notice to the corresponding forwarding address, and it has continued to do so up until this date. In this manner, Berdon has taken all reasonable steps to insure that Class Members are provided with a copy of the Notice.

The foregoing statements are true and correct to the best of my knowledge, information and belief.



MICHAEL ROSENBAUM

Sworn to before me this  
2nd day of April, 2012

  
Notary Public

MARLENE HURWITZ  
NOTARY PUBLIC, State of New York  
No. 46-97422  
Qualified in Nassau County  
Commission Expires April 30, 2015